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IN THE UNITED STATES DISTRICT COURT
DISTRICT OF UTAH, CENTRAL DIVISION

UNITED STATES OF AMERICA, : Case No. 2:15-cr-00703-HCN

Plaintiff, :
v. : FOURTH CERTIFICATE OF
: COMPLIANCE AND REQUEST FOR
: RECIPROCAL DISCOVERY
ELIJAH WILLIAM ROBERTS, :

Defendant. : Judge: HOWARD C. NIELSON

The United States of America, through its counsel, hereby files its fourth certificate of compliance with its discovery obligations in this case and request for reciprocal discovery from the Defendant.

The United States gives notice that the following, in accordance with FRCP 16(a)(1)(E), is being or has been provided to counsel for the Defendant via USAfx:

<u>Involved Parties</u>	<u>Description</u>	<u>Beginning Bates</u>	<u>Ending Bates</u>
Roberts, Elijah	Criminal History	IP-ER-01-00001	IP-ER-01-00003.02
Roberts, Elijah	Prior Conviction	IP-ER-02-00001	IP-ER-02-00003.09
<u>LEO Reports</u>			
FBI	302 Reports	RPT-FBI-01-00001	RPT-FBI-01-00001
Probation & Pretrial Services	Reports	RPT-PPTS-01-00001	RPT-PPTS-01-00002.02

As additional discoverable material becomes available, such material will be provided within a reasonable time. Throughout this case, the United States will provide material discoverable under Rules 16 and 26.2 of the Federal Rules of Criminal Procedure and the Jencks Act without requiring the Defendants to make a specific request for such material.

Upon the request of the Defendants, the United States will permit and facilitate the Defendants own inspection, copying or photographing of those items described/defined in Rule 16(a)(1)(E).

The United States also hereby requests disclosure of evidence by the Defendants (also known as reciprocal discovery) pursuant to Rule 16(b) of the Federal Rules of Criminal Procedure and DUCrimR 16-1(c). By providing Rule 16 discovery without requiring a specific request from the defense, the United States invokes a reciprocal obligation on the Defendants under DUCrimR 16-1(c), which states that the Defendants must allow the government to inspect and to copy the following, as further defined in Rule 16 of the Federal Rules of Criminal Procedure:

- a. Documents and tangible objects the defendant intends to introduce as evidence at trial;
- b. Reports of examinations and tests the defendant intends to introduce at trial or that were prepared by a witness whom the defendants intends to call at trial; and
- c. A written summary of the testimony of any expert the defendants intend to use a trial under Federal Rules of Evidence 702, 703 and 705.

The United States requests that the Defendants provide to the government at a reasonable time before trial, but no later than five working days before trial, copies of the material referenced in this paragraph. Further, the United States requests continuing compliance with the reciprocal discovery following the initial disclosure.

The United States also hereby requests all written and recorded statements by any witness other than the Defendants whom the Defendants intends to call at trial or a hearing covered by the Jencks Act or Rule 26.2 of the Federal Rules of Criminal Procedure.

DATED this 26th day of August, 2021.

ANDREA T. MARTINEZ
Acting United States Attorney

/S/ Karin M. Fojtik

KARIN M. FOJTIK
Assistant United States Attorney

CERTIFICATE OF SERVICE

I certify that on the 26th day of August, 2021, the Fourth Certificate of Compliance and Request for Reciprocal Discovery was filed electronically to the District Court, and caused to be served via USAfx, to the following:

Jonathan T. Nish
Attorney for Elijah Roberts
975 West 850 South
Woods Cross, Utah 84087

/S/ Emily Gaitin

Emily Gaitin
Certified Paralegal